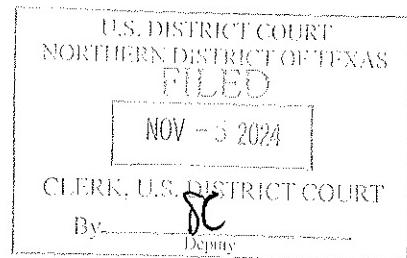


Anthony Keyter  
6200 Soundview Drive, R201  
Gig Harbor, WA, 98335  
Tel: 253-8533859

November 4, 2024

The Clerk  
US District Court  
501 West 10<sup>th</sup> Street, Room 310  
Fort Worth, TX 76102-3673



The Clerk,

**Re: Filing in Case No. 4:21-cr-5-O**

Enclosed find an Affidavit/ Criminal Complaint titled "**\$21 Billion Fraud Committed by Boeing Company President/CEO and the Board of Directors and Executive Council**", dated November 3, 2024, and filed by Prosecutor Qui Tam Anthony Keyter, in criminal case number **4:21-CR-5-O** (United States v. The Boeing Company), together with the 'Certificate of Service'. Thank you.

Sincerely,

Anthony Keyter

**Chapter 42.1.19  
of the Dossier of Crimes, USA, Volume III**

**AFFIDAVIT OF COMPLAINING WITNESS  
/ CRIMINAL COMPLAINT**

**\$21 BILLION SECURITIES FRAUD COMMITTED  
BY BOEING COMPANY PRESIDENT/CEO AND THE  
BOARD OF DIRECTORS AND EXECUTIVE COUNCIL**

**ANTHONY P. KEYTER  
COMPLAINING WITNESS /  
PROSECUTOR QUI TAM**

**6200 Soundview Drive, R201  
Gig Harbor WA, 98335 USA**

**November 3, 2024**

## LAUNCHING OF BOEING STOCK OFFERING

Between October 28 and 29, 2024, Boeing President and CEO, Kelly Ortberg, and the Boeing Board of Directors and Executive Council, launched a stock offering on behalf of the Boeing Company in order to strengthen its finances. The offering of common stock and depository shares raised approximately \$21 billion in an expanded share sale.

Pursuant the US Securities Exchange Act, the sale of the shares required Boeing President and CEO, Kelly Ortberg, and the Boeing Board of Directors and Executive Council, to report material facts that could greatly affect the share price. There were several such material facts that were required to be reported. The required report *was not made* to the buyers, by President/CEO Kelly Ortberg or the Boeing Board of Directors and Executive Council. Some material facts were deliberately omitted. Thus, the sale of the shares proceeded without full declaration and in violation of the Securities Act and other statutes and constitutes fraud of \$21 billion upon the investing public.

## THE PERPETRATORS

Responsible for the fraud of \$21 billion, is the Boeing President and CEO, Kelly Ortberg, and the Boeing Board of Directors and Executive Council.

**Board of Directors:** Robert A Bradway; Lynne Doughtie; David Gitlin; Lynn J. Good; Stayce D Harris; Akhil Johri; David L Joyce; Lawrence W. Kellner; Steven Mollenkopf (Chair); Kelly Ortberg; John M. Richardson; Sabrina Soussan.

**CEO and Executive Council:** Kelly Ortberg (Pres and CEO); Brian West (CFO); Stephanie Pope (COO); William Ampofo; Uma Amuluru; Stephen E. Biegun; Ted Citron; Michael Delaney; Susan Doniz; Mike Fleming; Brett Gerry; Darrin Hostetler; Elizabeth Lund; Howard McKenzie; Brian Moran; Brendan Nelson; Ziad Ojakli; Kimberly Pastega; Chris Raymond; John Demers, Corporate Secretary.

## THE CRIMES

The acts and omissions of the Boeing President and CEO, Kelly Ortberg, and the Boeing Board of Directors and Executive Council, violated the following statutes/orders:

1. Securities Act, Regulation S-K, Items 401(f)(2) and 401(f)(3)(ii and iii).
2. Securities Act, Sections 17(a)(2) and 17(a)(3).
3. The Revised Code of Washington RCW 9A.08.030(5).
4. United States Code 18USC10001 – Conspiracy to Defraud the USA and investors.
5. SEC Order of September 22, 2022.
6. US District Court Order of January 26, 2023.
7. Boeing Plea Agreement of July 24, 2024

## THE FACTS

The securities industry in the United States operate under the noble concept that all investors should have access to certain basic facts concerning an investment - prior to buying it and as long as they hold it. The Securities and Exchange Commission requires public companies like Boeing to disclose meaningful financial and other information to the public.

### ***1. LEGAL DUTY TO REPORT INVOLVEMENT IN CRIMINAL PROCEEDINGS***

Securities Exchange Regulations (Item 401(f) of Regulation S-K) requires of company directors to disclose information to shareholders if a director or executive officer is a named subject of imminent criminal proceedings.

#### ***The Boeing Criminal Case***

At the time of the \$21 billion tranche sale of shares, The Boeing Company, the Boeing Board of Directors, and the Boeing Executive Council, were named subjects in the criminal case '*USA v. The Boeing Company*', case no. 4:21-cr-5-O in the US District Court for the Northern District of Texas. Boeing and the Boeing Board of Directors and Executive Council are named subjects in a broad and virulent criminal endeavor as detailed in Docket entry 229 in that case, involving the following unaddressed crimes.

#### ***Past Unaddressed Crimes (Dkt 229, Appendix 1)***

*Fraud on a large scale; obstruction of justice, 18USC1519; theft of court record; tampering with a witness; retaliation against a witness; contempt of court; perjury; conspiracy to commit offenses; conspiracy to kidnap; conspiracy to murder; conspiracy against rights; deprivation of rights; misprision of felony; treason; misprision of treason; seditious conspiracy; insurrection against the laws; accessory after the fact to offenses of their government co-conspirators as detailed in the 'Dossier of Crimes'; crimes against humanity of mass murder in the death of 507 people; crimes against humanity of other inhumane acts in the grave injury of 189 innocent civilians.*

#### ***Unaddressed Ongoing Crimes (Dkt 229, Appendix 2)***

*Ongoing violation of: seditious conspiracy; fraud in the mount of \$249.88 billion on three separate stock exchanges; Securities Act, Sections 17(a)(2) and 17(a)(3); Revised Code of Washington, RCW 9a.28.40; SEC 'cease-and-desist' order; DOJ 'Plea Agreement'; USDC Northern Texas Court Order; Boeing ongoing criminal conspiracy with stock exchanges; Boeing ongoing criminal conspiracy with the US Government to cover-up fraud and other unaddressed past crimes; Boeing ongoing criminal conspiracy with Alaska Airlines; Boeing 'ongoing' criminal conspiracy to defraud the United States; an ongoing criminal corporate culture as demonstrated by Boeing / US Government ongoing criminal conspiracy to murder the prosecutor qui tam, Anthony Keyter.*

Boeing President/CEO Kelly Orberg and the Boeing Board of Directors and Executive Council have an obligation to report to shareholders and to stock exchanges, such material irregularities which may significantly impact the company's share price.

- (1) The un-addressed crimes listed above are material irregularities that needed to be reported (see case Docket #229).
- (2) The fact that the Board of Directors and Executive Council were named subjects in the criminal case needed to be reported, see case Docket # 229; and in addition...
- (3) Docket # 258 in the '*USA v. Boeing*' case, motioned the court to arrest the Boeing Board of Directors and the Executive Council members. That action of arrest, when that pending arrest occurs, it will certainly have a devastating affect the share price of the Boeing Company when it becomes public knowledge. This fact of imminent arrest needed to be reported.

***Willful Failure to Report***

Boeing President/CEO Kelly Ortberg and the Boeing Board of Directors and Executive Council willfully failed to report to the SEC as the statutes dictate, failed to report to new shareholders, and failed to report to the unsuspecting markets, the fact that:

- (1) The un-addressed crimes filed with the US District Court will likely bring prison sentences and years of adverse publicity that will certainly affect the Boeing share price.
- (2) Boeing and the Boeing Board of Directors and Executive Council are named subjects in the criminal proceedings in the case '*USA v. Boeing*', case no. 4:21-cr -5-O in the US District Court for Northern Texas.
- (3) The Boeing Board of Directors and Executive Council have a pending motion in the case, for their arrest.

Boeing President/CEO Kelly Ortberg and the Boeing Board of Directors and Executive Council went ahead with the offering and sale of \$21 billion worth of shares while omitting material facts. And every stockholder or potential new stockholder is adversely affected and prejudiced by Boeing's omission – with every sale of stock, including the recent \$21 billion transaction. The President/CEO Kelly Ortberg and the Boeing Board of Directors and Executive Council willfully omitted to report the irregularities and are in breach of the SEC Order of September 22, 2022, and in breach of the Securities Act, Sections 17(a)(2) and 17(a)(3). Section 17(a)(3) makes it illegal to commit fraud when offering or selling securities.

***Fraud and Violation of the Securities Act***

Exposure of the criminal culpability of the Boeing President/CEO Kelly Ortberg and the Boeing Board of Directors and Executive Council in fraud will further affect the Boeing stock price. Boeing President/CEO Kelly Ortberg and the Boeing Board of Directors and Executive Council continue to have a fiduciary duty to advise investors and potential investors of that material fact. Boeing President/CEO Kelly Ortberg and the Boeing Board of Directors and Executive Council continue to refrain from performing their duty. Boeing President/CEO Kelly Ortberg and the Boeing Board of Directors and Executive Council concealed Boeing's criminal offenses and the culpability of its directors, and thus continue to '*defraud and deceive purchasers in the offer or sale of securities*', in violation of *Sections 17(a)(2) and 17(a)(3) of the Securities Act*, on an ongoing, daily basis. Deliberately failing to advise Boeing investors (and traders in its shares) of *all material facts* that impact, or potentially impacts, its share price *constitutes fraud in violation of 18USC1001*.

**2. *LEGAL DUTY TO REPORT UNLAWFUL BUSINESS PRACTICE***

***Boeing Debarred from doing Business***

The Department of Justice (DOJ) prosecutors in the '*USA v. Boeing*' criminal case, found Boeing guilty and Boeing has admitted to one count of *criminal conspiracy* to defraud the United States. Washington State law forbids any company that has taken part in a *criminal conspiracy* to do business in that state. The Revised Code of Washington (RCW) clearly states in statute RCW 9A.08.030(5), quote:

*"Every corporation, whether foreign or domestic, which shall violate any provision of RCW 9A.28.40, shall forfeit every right and franchise to do business in this state". [RCW 9A.28.40, refers to criminal conspiracy].*

The Boeing Company is thus debarred from doing business in Washington State. Yet, the Boeing Company and Boeing Commercial Airplanes (division) continues to do business there illegally, in flagrant violation of this law, RCW 9A.08.030(5). Boeing continues to unlawfully build and sell aircraft, offer shares, pay salaries, do business with vendors, and so forth.

***Fraud and Violation of the Securities Act***

Securities Act Regulation S-K, 401(f)(2) demands that Boeing report that their Board and Executive Council are named subjects in the pending criminal proceedings in case no. 4:21-5-O. That Boeing deliberately failed to do in violation of the ***Securities Act Regulation S-K, 401(f)(2)***.

Violation of Washington statute RCW 9A.08.030(5) enjoined the Boeing President/CEO Kelly Orberg and the Boeing Board of Directors and Executive Council not to do business in Washington State (where the larger part of Boeing Commercial Airplanes division is situated). In violation of RCW 9A.08.030(5) and the ***Securities Act Regulation S-K, 401(f)(3)(ii and iii)***, Boeing is doing business, selling shares, paying salaries, selling aircraft etc. in Washington State.

With every aircraft sold in Washington State and every share offered by Boeing, the Boeing President/CEO Kelly Orberg and the Boeing Board of Directors and Executive Council, are in violation of the criminal statutes and in violation of the ***Securities Act Regulation S-K, 401(f)(2) and 401(f)(3)(ii and iii)***.

The Boeing Company has willfully failed to advise its shareholders and prospective shareholders that it is illegally doing business in Washington State, and that the unambiguous law requires it to forthwith close down its commercial airplane division in Washington State. Boeing's criminality and that of its directors and executives *will undeniably devastate* its share price when these facts become public knowledge, as inevitably it must. These undisclosed and hidden facts, materially affecting the Boeing share price, constitutes unmistakable ***fraud committed*** with every Boeing share that is offered and traded, including the ***\$21 billion tranche***, in violation of ***18USC1001***.

***3. VIOLATION OF SEC ORDER, COURT ORDER, AND PLEA AGREEMENT***

***Violation of SEC Order***

The Securities and Exchange Commission order of September 22, 2022, ordered the Boeing Company to cease and desist from further violations of Sections 17(a)(2) and 17(a)(3) of the Securities Act. Boeing has paid no heed to the cease-and-desist order not to commit further crimes. On a continuous basis since the SEC cease-and-desist order was issued, Boeing has been in ongoing criminal violation, on multiple counts, of the SEC order. (See the Boeing Company's \$249.88 billion fraud as part of the \$1.42 trillion international stock exchange fraud case detailed in the Dossier of Crimes, Volume III, Chapter 42.1.16.) Now Boeing has again ***violated Sections 17(a)(2) and 17(a)(3) of the Securities Act***, in this fraudulent \$21 billion tranche of shares, as described in Section 1 above.

***Violation of US District Court Order***

The court order of the US District Court for Northern Texas, promulgated on January 26, 2023, in criminal case number 4:21-cr-5-O, ordered the Boeing Company to desist from engaging in criminal violations. As can be seen above in the offenses detailed in Section 1

and 2 of this Complaint, the Boeing Company has been fully engaged in its normal and ongoing criminal violations of law and with malice aforethought, in breach of that court order.

***Violations of the Boeing Plea Agreement***

In the Boeing Plea Agreement of July 24, 2024, Boeing agreed to abide by all terms and obligations, including, but not limited to: *commit no further crimes* (paragraph 7d); *be truthful with the Court at all times* (para 7e). From the outset of the Agreement, on day one and onwards, Boeing has knowingly been in violation of both of these terms and obligations and thus in violation of the Plea Agreement. Boeing has committed ongoing crimes in violation of para 7d. Boeing has failed to report those crimes, in violation of Para 7e.

Respectfully Submitted,



Anthony P. Keyter  
Prosecutor Qui Tam

## **CERTIFICATE OF SERVICE**

I hereby certify that on this 4<sup>th</sup> day of November, 2024, a true and correct copy of this Criminal Complaint: "*\$21 Billion Fraud Committed by the Boeing Company President/CEO and the Board of Directors and Executive Council*", was served on the following counsel for the parties. The Criminal Complaint was also served on the authorities requested to monitor criminality within the US District Court in this case, no. 4:21-cr-5-O.

***United States Attorneys:***

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***Defendants: The Boeing Company***

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***Monitoring Authorities***

***The White House:*** President Biden and Cabinet, 1600 Pennsylvania Ave, Washington, D.C. 20500

***The 118<sup>th</sup> Congress:*** Senate President and Senators, via Senate Legal Council  
Speaker of the House and representatives, via House General Council

***US District Court Clerk and Judges:*** US District Court, 501 West 10<sup>th</sup> Street, Room 310, Fort Worth, TX 76102-3673

***The 5<sup>th</sup> Circuit Court of Appeals Judges:*** 600 S. Maestri Place, Suite 115, New Orleans, LA 70130-3408

***US Supreme Court Clerk and Justices:*** U.S. Supreme Court, One First Street N.E., Washington, D.C. 20543. [efilingsupport@supremecourt.gov](mailto:efilingsupport@supremecourt.gov);

***US DOJ:*** Attorney General, et al, Department of Justice, 950 Pennsylvania Avenue, NW Washington, DC 20530-0001. [Criminal.Division@usdj.gov](mailto:Criminal.Division@usdj.gov)

***The FBI:*** FBI Director Christopher Wray, et al, Federal Bureau of Investigation, 935 Pennsylvania Ave NW, Washington, DC 20535-0001.

***The SEC:*** The Chairman, Commissioners, et al, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549.

Respectfully Submitted,



Anthony P. Keyter

